

ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD  
1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007  
PHONE (602) 364-1PET (1738) FAX (602) 364-1039  
VETBOARD.AZ.GOV

**COMPLAINT INVESTIGATION FORM**

If there is an issue with more than one veterinarian please file a separate Complaint Investigation Form for each veterinarian

PLEASE PRINT OR TYPE

**FOR OFFICE USE ONLY**

Date Received: Oct 1, 2021

Case Number: 22-34

**A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:**

Name of Veterinarian/CVT: Sarah Matyaszek

Premise Name: Chaparral Vet Clinic

Premise Address: 32100 N Cave Creek Rd

City: Cave Creek

State: AZ

Zip Code: 85331

Telephone: 480-595-8600

**B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT\*:**

Name: Rita Schlarer

Address: [REDACTED]

Home Tel: [REDACTED]

Telephone: [REDACTED]

\*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

RECEIVED

OCT 01 2021

BY: NAN



**C. PATIENT INFORMATION (1):**

Name: DISCO - mare <sup>(deceased)</sup>  
Breed/Species: horse - thoroughbred  
Age: 23 yrs Sex: fe Color: Bay

**PATIENT INFORMATION (2):**

Name: N/A  
Breed/Species: N/A  
Age: \_\_\_\_\_ Sex: \_\_\_\_\_ Color: \_\_\_\_\_

**D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:**

Please provide the name, address and phone number for each veterinarian.

authorized care → Dr. Samantha <sup>good Vet</sup>  
Southwest Vet Hosp.

~~\*Unauthorized treatment - Sarah Matyzaszak~~  
~~Chaparral Vet Hospital~~

**E. WITNESS INFORMATION:**

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

Complaint made about this Vet

**Attestation of Person Requesting Investigation**

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: [Signature]

Date: Sept 21, 2021



**F. ALLEGATIONS and/or CONCERNS:**

Please provide all information that you feel is relevant to the complaint. This portion must be either typewritten or clearly printed in ink.

On Aug 20, 2021 my 23 yr old mare Coliced.  
I called my Vet, Dr. Samantha at  
Southwest Vet Hospital. She was on her  
way to treat my mare. 1/2 hr later I got call  
from Vet Sarah Matynaszek that she  
was taking my horse to Surgery.  
I asked who she was because I never  
heard of her. She told me her name. I told  
her my Vet is on her way + don't touch  
my horse. Apparently she went ahead &  
treated my horse without calling me for  
consent. I told her she never had  
my consent to exam + treat my horse  
she became nasty + harassing + told  
me I had 2 choices Surgery or  
kill my horse right now.  
I told her leave my horse alone, my  
Vet was almost there.  
I was long distance away, I'm 90 yrs  
old  
so someone has to drive me  
so I couldn't get there.  
The Vet Samantha arrived

(over)



and took care of my horse.  
This Vet Sarah Matyjaszek  
never had permission or consent  
to exam or treat my horse. She  
called me later to try getting a high  
priced surgery out of a old sick mare  
I would never use of all Chapparral  
Vet hospital since they have bfg reputation  
I reported Vet Sarah M. to attorney  
General's office & her response was  
a trainer called her for my mare -  
I do not have a trainer. She was  
older retired mare.

My complaint is ① she treated my horse  
Without my written or oral consent  
② she was Charrasing  
& nasty to try to get a surgery  
③ she tried playing on  
emotions of a horse owner  
"Surgery or kill now?"  
"Surgery or kill now?"  
④ I never called her or her  
Vet hospital for care of my  
horse.





# MIDWESTERN UNIVERSITY

## EQUINE AND BOVINE CENTER

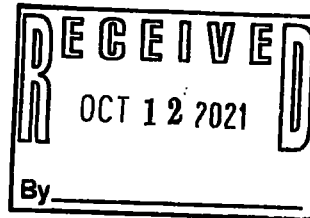
5725 West Utopia Road

Glendale, AZ 85308

Phone: 623/806-7575

Fax: 623/806-7574

[www.mwuanimalhealth.com](http://www.mwuanimalhealth.com)



October 8, 2021

In re: ~~21-408~~ (Sarah Matyjaszek)

*22-34*

Dear members of the Arizona Veterinary Medical Examining Board,

This letter is in response to the complaint filed against me by Mrs. Rita Schlager. I am currently employed full-time by Midwestern University's College of Veterinary Medicine as a Clinical Associate Professor of Equine Surgery. I was a full-time associate at Chaparral Veterinary Medical Center (CVMC) from January 2010 until May 2013. I currently have an independent contract with CVMC to provide relief emergency coverage for them on an as needed basis. I was the primary ambulatory on-call clinician for CVMC on the weekend of August 20<sup>th</sup>, 2021.

I received a message via CVMC's emergency call system from a gentleman who called himself "Blackie" Gomez (602-689-1939) at approximately 7pm on Friday, August 20<sup>th</sup>, 2021 to come out to examine a 23-year-old Thoroughbred mare named "Disco Bay Bee" (aka, "Disco") for colic. I called him back to get the horse's location information confirmed.

When I arrived, two barn hands were present. One barn hand was walking the mare who was visibly in a full body sweat and trying to lay down. I performed a physical exam and then administered sedation and Buscopan. I performed a rectal exam and palpated a tight band coursing from midline towards the mare's right dorsal abdominal quadrant. The mare tried to lay down during the rectal exam. I passed a nasogastric tube and did not receive any net reflux. I then called Mr. Gomez and explained my findings. There were several phone calls made between myself and Mr. Gomez at this time. He was relaying findings to Mrs. Schlager. I then spoke with Mrs. Schlager directly and explained my findings. I explained that my working diagnosis was a large colon volvulus or right dorsal displacement of the large colon. Given the mare's severe degree of pain a large colon volvulus was more likely. Because time is of the essence with colic cases, my recommendation was referral into CVMC for surgery. Alternatively the owner was told to consider humane euthanasia; however, neither were an option for Mrs. Schlager.

Mrs. Schlager asked me to speak with her son which I did and explained the same recommendations. I was asked to administer an enema, a dose of phenylbutazone, and intravenous (IV) fluids, to which I refused. An enema is not indicated in this case nor would it help with the mare's condition. An enema also carries an increased risk of a rectal tear. The mare already had a dose of a non-steroidal anti-inflammatory drug (NSAID) in her system (Banamine) so another dose of an NSAID (phenylbutazone) is contraindicated. At one point during the multiple phone calls, the mare went down into right lateral recumbency – running IV fluids on a colic that is so painful it will not stay standing is impractical and would only delay her to referral. Mrs. Schlager and her son asked if they could come visit the mare. I asked what their estimated time of arrival was and was told two hours. After Ms. Schlager declined my recommendations for either a surgical transfer or humane euthanasia, I was asked to leave. I administered more sedation/analgesia and left two doses of sedation/analgesia with the barn hands and



left the premises. I texted Mr. Gomez the following morning to inquire how the mare was doing and was told she had died. He thanked me for coming out the night before.

In response to statements made in Mrs. Schlager's complaint I have the following:

1. I was unaware that a veterinarian from Southwest Equine was coming out to examine the mare. I did not see any other people on the property besides the two barn hands and two other people who walked by and watched towards the end of my exam.
2. I did not say I was "taking (her) horse to surgery." Surgery was a recommendation. I could not and would not go forward with a surgery without the owner's authorization.
3. She did not say to me "my vet is on her way" or "my vet is almost there." I only saw the two barn hands and the two observers.
4. She did not say to me "don't touch my horse" or "leave my horse alone." Mrs. Schlager was actually rather pleasant on the phone with me and I was asked to administer an enema, phenylbutazone, and IV fluids before I left.
5. In response to the statement "Apparently she went ahead and treated my horse without calling me first" .... It is standard of care to administer sedation/analgesia in order to safely examine a horse with colic. I did not "treat" the mare (aka, administer more sedation/analgesia and a non-steroidal anti-inflammatory drug) until after speaking directly with Mrs. Schlager and her son. Also, this mare was in severe pain and required sedation/analgesia to prevent herself and the people around her from injury. Administering sedation/analgesia to a severely painful horse with colic is standard of care, and as a licensed veterinarian, I have taken an oath to relieve animal suffering.
6. I did not become "nasty and harassing." I was calm, professional, and direct given the severity of the mare's condition.
7. Mrs. Schlager said she "would never use or call Chaparral vet hospital..." There are medical records for "Disco" from CVMC included in this submission from 2015.
8. I have phone call records documenting the communication I had with Mr. Blackie, Mrs. Schlager, and Mrs. Schlager's son.
9. Large colon volvulus is one of the most painful colic conditions a horse can experience. There truly are only two options to treat this condition – surgical correction or humane euthanasia. I have been a board-certified large animal surgeon for over 12 years, completing an internship and residency in two areas of the United States with some of the largest horse populations in the world. I am qualified to make these recommendations.
10. Horses with large colon volvulus that are not corrected or euthanized die an agonizing death. They either suffocate due to pressure from a severely distended large colon on the diaphragm or succumb to endotoxemia. In this mare's case I suspect she suffocated as I have observed two other cases in this situation. This, in my opinion, constitutes a case of animal cruelty.



Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "S. Matyjaszek".

Sarah A. Matyjaszek, DVM, DACVS-LA

Clinical Associate Professor of Equine Surgery

A thick, solid black horizontal bar used to redact a line of text.A thick, solid black horizontal bar used to redact a line of text.A thick, solid black horizontal bar used to redact a line of text.



**DOUGLAS A. DUCEY**  
- GOVERNOR -



**VICTORIA WHITMORE**  
- EXECUTIVE DIRECTOR -

**ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD**

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**INVESTIGATIVE COMMITTEE REPORT**

**TO:** Arizona State Veterinary Medical Examining Board

**FROM:** AM Investigative Committee: Robert Kritsberg, DVM - Chair  
Christina Tran, DVM  
Carolyn Ratajack  
Jarrod Butler, DVM  
Steven Seiler - **Absent**

**STAFF PRESENT:** Tracy A. Riendeau, CVT - Investigations  
Marc Harris, Assistant Attorney General

**RE:** Case: 22-34  
Complainant(s): Rita Schlager  
Respondent(s): Sarah Matyjaszek, DVM (License: 4982)

**SUMMARY:**

Complaint Received at Board Office: 10/1/21  
Committee Discussion: 3/1/22  
Board IIR: 4/20/22

**APPLICABLE STATUTES AND RULES:**

Laws as Amended August 2018  
(Lime Green); Rules as Revised September  
2013 (Yellow).

On August 20, 2021, Respondent received a message from Chaparral Veterinary Medical Center's emergency call system to examine "Disco," a 23-year-old Thoroughbred mare. Respondent examined the horse and relayed her findings to Complainant; due to the horse's severe pain, a large colon volvulus was suspected and surgery or humane euthanasia was recommended. Pain medication was administered to the horse.

Complainant's son asked Respondent to administer treatment he thought was appropriate; Respondent declined and was later asked to leave. Complainant expressed concern that Respondent examined and treated the horse without her consent.

Dr. Dzierzak from Southwest Equine arrived later that evening to evaluate the horse. After exam, Dr. Dzierzak recommended hospitalization and surgery for the horse's condition. Complainant declined, only approving IV fluids and sedation.

Dr. Dzierzak left for several hours and was called back out in the early morning hours of August 21, 2021. After her recommendations for diagnostics were declined, she offered humane euthanasia. Complainant approved and the horse was humanely euthanized.



**Complainant was noticed and appeared telephonically.  
Respondent was noticed and appeared with attorney David Stoll.**

**The Committee reviewed medical records, testimony, and other documentation as described below:**

- Complainant(s) narrative: *Rita Schlager*
- Respondent(s) narrative/medical record: *Sarah Matyjaszek, DVM*
- Consulting veterinarian(s) narrative/medical record: *Samantha Dzierzak, DVM*

## **PROPOSED 'FINDINGS of FACT':**

1. On August 20, 2021, (7pm) Respondent received a call through the emergency system for Chaparral Veterinary Medical Center from an individual named Mr. Gomez. She was asked to evaluate a horse that was in distress. When Respondent arrived at the barn, the mare was visibly in a full body sweat and was trying to lay down as a barn hand walked her. Respondent examined the horse and then administered buscopan for pain. She called to relay her findings to Mr. Gomez, who was giving the information to Complainant. Respondent then spoke directly to Complainant; she explained that her working diagnosis was large colon volvulus or right dorsal displacement of the large colon. Due to the horse's severe degree of pain, large colon volvulus was more likely. Respondent recommended referral to Chaparral for surgery, or consider humane euthanasia. Complainant declined both options.

2. According to Respondent, Complainant asked that Respondent speak with her son therefore Respondent explained the same recommendations to him. Complainant's son asked Respondent to administer an enema, a dose of phenylbutazone and IV fluids; Respondent refused, as an enema was not indicated and would not help the mare's condition. The horse already had a dose of a non-steroidal in her system thus another dose was contraindicated and running IV fluids on a colic that is so painful the horse will not stay standing was impractical. Complainant and her son asked if they could visit the horse and told Respondent they could be there in 2 hours. Respondent stated that after Complainant declined her recommendations for either surgical referral or humane euthanasia, she was asked to leave.

3. According to Complainant, she did not call out Respondent to evaluate her horse – she had called her vet, Dr. Dzierzak. When Complainant spoke to Respondent, Complainant told her to not touch her horse as Dr. Dzierzak was on her way. Complainant stated that Respondent examined and treated her horse without her consent. She reported that Respondent became nasty and harassing stating that Complainant had two choices, surgery or euthanasia. Complainant further stated that she would not have called Chaparral since they have a bad reputation.

4. Respondent stated that she was unaware that a veterinarian from Southwest Equine was coming out to examine the horse. She did not see anyone other than two barn hands and two other individuals that had walked by during her exam. Respondent does not recall being told by Complainant to not touch the horse or that her vet was on the way. She denies becoming nasty or harassing. Additionally, Complainant was pleasant on the phone with her and was asked to administer treatment prior to Respondent leaving. With respect to the sedation that



was administered to the horse, it is standard of care to administer sedation/analgesia to safely examine a horse with colic. The mare was in severe pain and required sedation to prevent herself and the people around her from injury.

5. Later that evening (9pm), Dr. Dzierzak was called out to evaluate the horse. The horse owner advised that the horse had received banamine and was attended to by another veterinarian around 6pm. Surgery had been recommended.

6. At 10pm, Dr. Dzierzak evaluated the horse and was told of the previous vet's examination. She sedated the horse for pain management to allow further evaluation. An ultrasound was performed and revealed two loops of mildly distended small intestine, and some thickening of the wall. Complainant was contacted and abdominocentesis was recommended and hospitalization for further assessment, likely needing surgery; Complainant declined. Complainant elected to pursue IV and enteral fluids and requested an enema, which Dr. Dzierzak declined.

7. The horse was heavily sedated while an IV catheter was placed and 10 liters of LRS was administered. Dr. Dzierzak also performed a thorough gastric lavage. After treatment, the horse appeared brighter. Dr. Dzierzak administered further detomidine and butorphanol IM for pain management and gave barn staff another dose of detomidine to be administered in the event the horse became painful again.

8. Dr. Dzierzak left for several hours before being called back out (4am) on August 21, 2021. Complainant's son advised that the horse had become significantly painful again despite administration of the detomidine. After evaluation and a repeat ultrasound, the horse's condition appeared to be worsening. Abdominocentesis was again offered and declined. Dr. Dzierzak recommended humane euthanasia – Complainant agreed and the horse was humanely euthanized.

#### **COMMITTEE DISCUSSION:**

The Committee discussed that the horse was in pain and surgery was recommended. Based on the information provided, it appears Complainant may be confused on what transpired. Respondent would not have gone out to see the horse on her own; she was called out to evaluate the horse by someone that was concerned with the horse's condition.

#### **COMMITTEE'S PROPOSED CONCLUSIONS of LAW:**

The Committee concluded that no violations of the Veterinary Practice Act occurred.

#### **COMMITTEE'S RECOMMENDED DISPOSITION:**

**Motion:** It was moved and seconded the Board:

*Dismiss this issue with no violation.*



**Vote:** The motion was approved with a vote of 4 to 0.

*The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.*

TR

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Tracy A. Riendeau, CVT  
Investigative Division